

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,
Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER CONCERNING MOTION FOR ENLARGEMENT OF TIME BY THE UNITED STATES OF AMERICA

The Court has received and reviewed the *Acknowledgement of Constitutional Challenges, Notice of Potential Participation, and Motion for Enlargement of Time by the United States of America* (Docket Entry No. 19282 in Case No. 17-3283, the “Motion”),² filed by the United States of America (the “United States”), as well as the briefing filed in connection with the Motion.

In light of the long-standing termination provisions of certain plan support agreements underlying the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico*, et al. (as may be amended, the “Plan”) and the fact that Rule 5.1(c) of the Federal Rules of Civil Procedure would permit the Court to overrule the constitutional challenges to confirmation of the Plan prior to intervention and briefing by the United States, the United States’ time to notify the Court as to whether the United States will

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Urgent Motion.

defend the constitutionality of PROMESA and the Bankruptcy Code is hereby extended until **January 7, 2021**. If the United States provides notice of an intent to intervene, it must file its brief in support of the statutes' constitutionality by **February 7, 2021**.

This Order resolves Docket Entry No. 19282 in Case No. 17-3283.

SO ORDERED.

Dated: November 22, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge